Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

Message Text

SECRET

PAGE 01 MOSCOW 05313 062143Z

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ACTION SS-25

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S E C R E T MOSCOW 5313

EXDIS

EO 11652: XGDS-3
TAGS: PARM, UR, UR
SUBJECT: TTBT/PNE TALKS: STATUS OF REMAINING ISSUES
PNE MESSAGE NO. 234

1. SUMMARY OF STATUS OF TWO REMAINING ISSUES PRESENTED IN PARAS 2 AND 3 BELOW.

2. ISSUE I--INDIVIDUAL EXPLOSIONS WITH YIELDS EXCEEDING 150 KILOTONS.
(A) US SIDE CONTINUES CATEGORICAL REJECTION OF PROVISION FOR EXCEPTIONS.
(B) SOVIET SIDE HAS SEEMINGLY SET ASIDE SUBJECT OF "INDIVIDUAL EXPLOSIONS" PRODUCED BY SEVERAL CLOSELY-SPACED EXPLOSIVES EACH OF WHICH HAS YIELD NOT EXCEEDING 150 KILOTONS.
(C) SOVIET SIDE HAS RETURNED TO EARLIER VIEW THAT THERE SHOULD BE SOME OF PROVISION FOR INDIVIDUAL EXPLOSIONS, PRODUCED BY SINGLE EXPLOSIVES, EXCEEDING 150 KILOTONS.
(D) TYPE OF PROVISION FOR "EXCEPTIONS" NOW SUGGESTED BY SOVIET SIDE (ACCOMPANIED BY REMARKS ABOUT THEIR FLEIBILITY ON IT) IS LANGUAGE IN TREATY (A NEW PARA 3 ARTICLE III IS LOCATION MENTIONED) SAYING PARTIES WILL CONSULT WITH VIEW TOWARD ACHIEVING FUTURE AGREEMENT ALLOWING SUCH EXPLOIONS.
(E) CURRENT SOVIET ARGUMENT IS THAT "EXCEPTIONS"
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PAGE 02 MOSCOW 05313 062143Z

DOOR SHOULD BE LEFT OPEN BECAUSE: (1) SOVIET PROGRAM

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

MAY OR MAY NOT REQUIRE INDIVIDUAL EXPLOSIONS EXCEEDING 150 KILOTONS BY END OF COMING PERIOD OF FIVE YEARS (OR MAYBE NOT FOR 20 YEARS), (2) SOME THIRD COUNTRIES THINK THERE ARE ECONOMIC BENEFITS TO BE HAD FROM SUCH EXPLOSIONS AND WILL PRESS FOR THEM, AND (3) NPT ARTICLE V CITES NO LIMITATIONS ON PNES.

3. ISSUE II--WHETHER OBSERVERS SHALL HAVE RIGHT, AT THEIR CHOICE, TO BE PRESENT AT EXPLOSION 100-150 KILOTONS OR ONLY AT INVITATION OF PARTY CARRYING OUT EXPLOSION.
(A) US SIDE CONTINUES CATEGORICAL POSITION THAT OBSERVERS PRESENCE IN THIS YIELD RANGE SHOULD BE BY RIGHT.
(B) SOVIET SIDE NOW SUGGESTING PROVISION FOR OBSERVER PRESENCE ONLY BY INVITATION, BUT MODERATED BY SOME KIND OF "OR BY AGREEMENT BETWEEN THE PARTIES" PROVISION; OR, AS A "VARIANT," SIMPLE PROVISON THAT PRESENCE WILL BE BY AGREEMENT BETWEEN THE PARTIES
(C) MAIN US ARGUMENT IS THAT, UNDER SOME CONDITIONS, EXPLOSION EXCEEDING 150 KT COULD BE READ BY NTM ALONE AS LESS THAN 150 KT.
(D) MAIN SOVIET ARGUMENT IS THAT BECAUSE TTBT DOES NOT PROVIDE OBSERVER RIGHT BELOW 150 KT, THERE IS NO BASIS TO CLAIM OBSERVER RIGHT FOR PNE'S BELOW 150 KT.

4. DELEGATION COMMENTS CONCERNING ISSUE I AS FOLLOWS:
(A) US POSITION ON "EXCEPTIONS" SHOULD REMAIN FIRM.
(B) IF ANY ACCOMMODATION WERE TO BE EXTENDED TO SOVIET SIDE ON THIS ISSUE, SUCH ACCOMMODATION SHOULD NOT GO BEYOND INCLUSION OF SOME KIND OF GENERAL LANGUAGE ABOUT CONSULTATION ON FUTURE WAYS TO EASE LIMITATIONS AND CONSTRAINTS PROVIDED FOR IN THE TREATY AND PROTOCOL.

5. DELEGATION COMMENTS CONCERNING ISSUE II AS FOLLOWS:
(A) SOVIET SIDE SEEMS TO ACCEPT FIRMNESS OF US POSITION, AND THIS IS AN IMPORTANT ASSET.
(B) SOVIET POSITION (SO FAR AS WE CAN TELL) IS BASED ON VIEW THAT OBSERVER RIGHTS BELOW 150 KILOTONS ARE NOT COMTEMPLATED UNDER TTBT.
(C) US ARGUMENT ABOUT COMPLEXITY AND DIVERSITY OF
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LOCAL CONDITIONS THAT COULD BE ENCOUNTERED IN PNE CASE (HENCE, NEED FOR OBSERVER FUNCTIONS IN SOME INSTANCES) IS SOUND WHEN LAID AGAINST REASONABLE VIEW OF SITUATION AT STABLE WEAPON TEST SITES. IT IS NOT SOUND WHEN LAID AGAINST FACT THAT NEW TEST SITES, WITH AS MUCH COMPLEXITY AND DIVERSITY AS IS AVAILABLE IN COUNTRY, COULD BE CREATED IN COMPLIANCE WITH THE LITERAL PROVISIONS OF THE TTBT.
(D) IF THERE IS TO BE COMPROMISE IN ORDER TO CLOSE

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

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OUR REMAINING ISSUES, THE COMPROMISE WOULD BE IN TERMS OF ISSUE II RATHER THAN ISSUE I.
(C) COMPROMISE IN ISSUE II COULD TAKE EITHER OF TWO GENERAL FORMS:
--REMOVAL OF ALL PROVISIONS FOR OBSERVER PRESENCE AND FUNCTIONS FOR YIELDS 100-150 KT, OR
--AMENDING US POSITION TO PROVIDE FOR OBSERVER PRESENCE IN ANY GIVEN CASE TO BE DETERMINED IN CONSULTATION BETWEEN THE PARTIES ON THE BASIS OF: (1) INFORMATION ABOUT THE PROJECT PROVIDED BY HOST PARTY IN ACCORDANCE WITH PRESENT TERMS OF PROTOCOL, AND (2) ANY OTHER INFORMATION THAT MAY BE INTRODUCED BY EITHER PARTY.
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